

AO 440 (Rev. 06/12) Summons in a Civil Action

# UNITED STATES DISTRICT COURT

for the

Eastern District of New York

AQUILINO HERNANDEZ on behalf of himself and  
all others similarly situated,

*Plaintiff(s)*

v.

BEN TAS CORP D/B/A OTHELLO DELI,  
THEODORE J. BENINATI, ANGELO T.  
BENINATI, and SALVATORE A. BENINATI,

*Defendant(s)*

Civil Action No. 1:24-cv-01123-CLP

## SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

BEN TAS CORP D/B/A OTHELLO DELI,  
THEODORE J. BENINATI,  
ANGELO T. BENINATI, &  
SALVATORE A. BENINATI  
19 24th Avenue,  
Astoria, New York.

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in **Fed. R. Civ. P. 12** (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

HARRISON, HARRISON & ASSOCIATES, LTD.  
David Harrison, Esq.  
110 State Highway 35, 2nd Floor  
Red Bank, NJ 07701  
dharrison@nynjemploymentlaw.com

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

BRENNNA B. MAHONEY  
CLERK OF COURT

s/Kimberly Davis

*Signature of Clerk or Deputy Clerk*

Date: 2/14/2024

